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| Montana Department of<br>Public Health and Human Services | Policy                                     |
|   | MT CACFP 2011-6                            |
|   | Section: All Institutions                  |
| Child and Adult Care Food Program                         | Subject: Institution Eligibility for CACFP |
|   | Effective Date: 7/1/2011                   |

### INSTITUTION ELIGIBILITY

1. The following institutions are eligible to participate in the Montana Child and Adult Care Food Program (CACFP):
  - a. Child Care Center: Institution must be organized to serve nonresidential children enrolled for child care and must have a current child care license issued by the Quality Assurance Division of the Montana Department of Public Health and Human Services (State agency).
  - b. Outside School Hours: Institution must be organized primarily to serve nonresidential children, 12 years of age and under, only during outside school hours and must meet certain self-certification requirements of the State agency.
  - c. At-Risk Afterschool: Institution must be organized primarily to serve nonresidential children, school age through 18 years of age, only during after school hours, reside in a school district serving 50% or greater children qualifying for free and/or reduced priced school lunches, and meet certain self-certification requirements of the State agency.
  - d. Emergency Shelters: Institution must provide residential and in-house meal services to homeless children and their parents/ guardians. The State and/or local health and safety codes must be met. Residential child 18 years of age and younger are eligible for participation in the CACFP.
  - e. Adult Day Care Centers: Institution must serve nonresidential adults to functionally impaired adults or persons 60 years of age or older outside of the home environment and must have a current license issued by the State agency.
  - f. Day Care Homes may participate in the CACFP under a sponsoring organization with a contract to operate the Program. Day care homes must have a current Family Day Care Home or Group Day Care Home registration issued by the State agency.

*Note:* Institutions may be for-profit or non-profit. However, for-profit institutions must have at least 25% of attendance during each month be of participants with income eligibility in the free and/or reduced-price category.

*Note:* Child care centers participating in the CACFP may also operate an outside school hours and/or an at-risk afterschool program; however, the outside school hours and at-risk afterschool programs must be separate and distinct from the child care center in their operation [(226.17(b)(5))] and separate program records must be maintained [226.19(b)(3)(ii)]. For-profit institutions operating an at-risk afterschool program through their child care center must meet the 25% free and/or reduced-price category criteria for their child care center and the school district criteria of 50% or greater children qualifying for free and/or reduced price school lunches for their at-risk afterschool program.

*Note:* Child Care centers that are not eligible to operate the CACFP may not also operate an outside school hours and/or an at-risk program of the CACFP.

2. The following institutions are not eligible to participate in the Montana Child and Adult Care Food Program:
- a. Unlicensed child care centers and unregistered day care homes are not eligible to participate in the CACFP because child care center licensing and day care home registration is available to them from the State agency.
  - b. Child care centers with a permissive license for drop-in child care issued by the State agency are not eligible for the CACFP because the permissive license does not meet the following federal regulations and requirements to participate in the CACFP: 226.6(d)(2)(A), 226.6(d)(2)(B), 226.6(d)(2)(F)(3), and because child care licensing for child care centers is available to them from the State agency.
  - c. Legally Certified Providers or Legally Certified In-home Providers authorized by the State agency are not eligible to participate in the CACFP.

[References: 7 CFR Part 226 Child and Adult Care Food Program]